

FERNANDO F. CHAVEZ

ffchavez1530@gmail.com

California Bar No. 86902

LAW OFFICES OF FERNANDO F. CHAVEZ

1530 The Alameda, Suite 301

San Jose, CA 95126

(408) 971-3903 – Phone

(408) 971-0117 – Facsimile

Attorneys for Greg Vartanian, Plaintiff

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**


**GREG VARTANIAN, on behalf
of himself and all others similarly situated,**

Plaintiffs,

VS.

**NATIONWIDE LEGAL, INC.,
NATIONWIDE LEGAL, LLC, and
DOES 1-100, inclusive.**

Defendant.



Case No. 3:12-cv-00691-EMC

CORRECTED JOINT STIPULATION AND PROPOSED ORDER TO EXTEND DEADLINES

Plaintiff, Greg Vartanian, individually, and on behalf of putative class members (“Plaintiffs”), and Defendants, Nationwide Legal, Inc. and Nationwide Legal, LLC (“Defendants”), through their undersigned attorneys, stipulate and respectfully request that this Court approve a continuation of the status conference from July 11, 2013 to July 22, 2013; and continue the hearing on class certification from October 31, 2013 to a date convenient for the Court after November 1, 2013. As grounds for this extension, the parties state as follows:

1. On February 21, 2013 the parties filed a Notice of Stipulation and Order re Continuance of Mediation Completion Date (Doc. 52) requesting that (a) the mediation deadline

1 be moved to April 29, 2013; (b) the status conference be continued to May 6, 2013; and (c)
2 continuing the deadline for Plaintiff to serve his FLSA and Rule 23 Motion for Class
3 Certification to July 16, 2013.
4

5 2. This Court entered an Order (Doc. 53) on February 25, 2013 (a) continuing the
6 mediation completion date to April 29, 2013; (b) continuing the status conference to May 9,
7 2013 at 10:30 a.m.; (c) continuing the deadline for Plaintiff to serve his FLSA 216(b) and Rule
8 23 Class Certification Motion to July 16, 2013; and (d) continuing the hearing on class
9 certification to August 22, 2013 at 1:30 p.m.
10

11 3. The parties were scheduled to mediate this matter on April 24, 2013 with Carol
12 Woodward in San Francisco.

13 4. On Sunday, April 21, 2013, Robert Camp, lead counsel for the Plaintiff, had to
14 cancel the mediation due to his father-in-law's terminal illness, which required he and his family
15 to assist in caring for his father-in-law. On April 25, 2013, hospice evaluated the undersigned's
16 father-in-law and determined that he had a two to three week life expectancy. The undersigned's
17 father-in-law passed April 29, 2013 and as such Mr. Camp was out of the office from April 21,
18 2013 until May 5, 2013.
19

20 5. On April 29, 2013 (Doc. 54) the undersigned, Robert Camp, working from his
21 father-in-law's home through his staff remotely, filed a joint stipulation requesting the
22 enlargement of certain dates as a result of his need to cancel the mediation. However, due to a
23 misunderstanding and confusion on his part, these proposed dates were not agreed upon as
24 represented. Based on previous communications the undersigned believed at the time he had
25 authority from Defense Counsel to move the Court to enlarge the deadline to mediate and to
26 avoid the parties' conflicts the first part of May. As such, Mr. Camp simply moved all deadlines
27
28

1 60 days to accommodate the parties' conflicts previously discussed, utilizing a previous filing as
2 a template for the draft and did not confer again. Accordingly, Defense Counsel did not have an
3 opportunity to review and approve the document before filing, as Mr. Camp did not provide a
4 copy of the stipulation to Defense Counsel. Thus, Defense Counsel was unable to notify Mr.
5 Camp before filing that the dates were unacceptable and as such, this requested correction made
6 by the parties is not the fault of Defense Counsel.
7

8 6. The Court granted the stipulation on April, 29, 2013 (Doc. 55).
9

10 7. The evening of April 29, 2013, Defense Counsel apprised the undersigned, Robert
11 Camp, of the misrepresentation, that the dates conflicted with her schedule and that her intent
12 was for Plaintiff's Counsel merely to notify the Court the mediation deadline could not be met.
13 Mr. Camp notified Defense Counsel his father-in-law had died earlier that same day and
14 apologized stating he would correct the issue.
15

16 8. May 2, 2013, Defense Counsel advised that the dates set forth in the stipulation
17 were acceptable with the exception of the dates setting the Status Conference and Hearing on
18 Class Certification.
19

20 9. The undersigned Robert Camp apologizes to this Court for his failure to follow
21 proper protocol and the additional work this correction places on the Court. Mr. Camp states this
22 regrettable situation occurred as a result of his own oversight born out of trying to hurriedly work
23 on this case remotely while at the same time caring for a dying loved one. Mr. Camp states this
24 conduct is not indicative of his professionalism or practice.
25

26 10. As such, the parties respectfully request the previous proposed deadlines accepted
27 by the Court regarding the Status Conference and Hearing on Class Certification be amended as
28 follows:

Status Conference: ~~July 22, 2013~~ July 25, 2013 at 10:30 a.m.

Hearing on Motion for Class Certification: A date agreeable and convenient for the Court after November 1, 2013.

11. All the undersigned have conferred and approved the filing of this stipulation.

12. For the above reasons, the parties request that the Court (a) continue the status conference from July 11, 2013 to July 25, 2013; and (b) continue the hearing on class certification on October 13, 2013 to a date convenient for the Court after November 1, 2013.

Dated: May 6, 2013

Respectfully submitted,

THE COCHRAN FIRM, LLC

/s/ Robert J. Camp

ROBERT J. CAMP

rcamp@cochranfirm.com

Admitted *Pro Hac Vice*

1929 3rd Avenue North, Suite 800

Birmingham, AL 35203

(205) 244-1115 – Phone

(205) 244-1171 – Facsimile

MITCHELL G. ALLEN

mallen@cwcd.com

CORY, WATSON, CROWDER AND DeGARIS

2131 Magnolia Avenue

Birmingham, AL 35205

205-328-2800 – Phone

FERNANDO CHAVEZ

fchavez@chavez-deleon.com

California Bar No. 86902

LAW OFFICES OF FERNANDO F. CHAVEZ

1530 The Alameda, Suite 301

San Jose, CA 95126

(408) 971-3903 – Phone

(408) 971-0117 – Facsimile

Attorneys for Plaintiff

GREG VARTANIAN

– and –

/s/ Michelle La Mar

MICHELLE LA MAR (SBN 163038)

mlamar@loeb.com

JON DARYANANI (SBN 205149)

jdaryanani@loeb.com

ERIN SMITH (SBN 235039)

esmith@loeb.com

LOEB & LOEB LLP

10100 Santa Monica Blvd., Ste. 2200

Los Angeles, CA 90067

(310) 282.2000 – Phone

(310) 282.2200 – Facsimile

MICHAEL E. ADAMS

equitist@earthlink.net

LAW OFFICES OF MICHAEL E. ADAMS

702 Marshall Street, suite 300

Redwood City, CA 94063

(650) 599-9463 – Phone

(650) 599-9785 – Facsimile

Attorneys for Defendants

NATIONWIDE LEGAL, INC. and

NATIONWIDE LEGAL, LLC

IT IS SO ORDERED (AS MODIFIED ABOVE)

EDWARD M. CHEN

UNITED STATES DISTRICT JUDGE

